

REMARKS

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action provided, for the indication that the drawings are acceptable, and for the acknowledgment of Applicant's Claim for Priority and receipt of the certified copy of the priority document in the Official Action.

Applicant notes that Information Disclosure Statements were filed in the present application on October 24, 2001 and July 30, 2003. However, copies of the Forms PTO-1449 submitted with the Information Disclosure Statements were not included with the Official Action. The Examiner is therefore respectfully requested to acknowledge Applicant's Information Disclosure Statements by returning signed copies of the Forms PTO-1449 to Applicant with the next official communication in the present application. If the above-noted Information Disclosure Statements are not located in the application file wrapper, the Examiner is respectfully requested to contact the undersigned at the below-listed telephone number so that replacement copies may be submitted for the Examiner's consideration.

Applicant acknowledges with appreciation the indication that claims 4 and 13 contain allowable subject matter, on pages 4 and 5 of the Official Action.

Upon entry of the above amendments, the abstract will have been amended and claims 1, 9, 15, 20 and 21 will have been amended. Claims 1-21 are currently pending. Applicant respectfully requests reconsideration of the outstanding objections and rejections, and allowance of all the claims pending in the present application.

On pages 2-4 of the Official Action, claims 1-3, 5-12 and 14-21 were rejected under 35 U.S.C. § 102(b) as being anticipated by MARTELLI et al. (U.S. Patent No. 5,508,586).

Applicant respectfully traverses the rejection of claims 1-3, 5-12 and 14-21 under 35 U.S.C. § 102(b).

Claims 1 and 9, as presently amended, each include, *inter alia*, "said holder is configured to support the getter material in a manner such that an initial spreading direction of the getter material when evaporated is away from a surface upon which the getter material is to be deposited, and said control plate member is arranged in the initial spreading direction of the getter material and configured to control spreading of the getter material in order to direct the getter material back toward the surface upon which the getter material is to be deposited."

Applicant submits that MARTELLI et al. lacks any disclosure of *a holder configured to support a getter material such that an initial spreading direction of the getter material is away from a surface upon which it is to be deposited*. Applicant further

submits that MARTELLI et al. lacks any disclosure of *a control plate member arranged in the initial spreading direction of the getter material and configured to control spreading of the getter material in order to direct the getter material back toward the surface upon which it is to be deposited.*

Applicant notes that MARTELLI et al. discloses a display device 30 containing a getter device 10. As shown in Figures 1, 2 and 4, the getter device 10 includes a housing 11 containing getter material 12, and a deflector 15 covering the open end of the housing 11 for controlling the spreading direction of the getter material. A slit 20 is provided in the deflector 15, as shown in Figure 1, for directing the getter material toward a deposit area 40 on surface 32, as shown in Figure 4. Note that the getter device 10 shown in the display device 30 in Figure 4 is inverted from the position shown in Figure 2. Further, note the explanation provided at column 4, lines 45-53 and 62-67; column 5, lines 52-61; and column 6, lines 1-6.

Accordingly, in the system of MARTELLI et al. the getter material initially evaporates in a direction *towards* the surface 32 upon which deposit is desired, and the deflector 15 *funnels* the evaporated getter material through the slit 20 toward a particular location 40 on the surface 32. In contrast, for example, as depicted in Figures 1, 3B and 5 of the present application, the getter material initially evaporates *away from* the surface 3 upon which deposit is desired, and the control plate member 9 *directs or reflects* the

evaporated getter material back toward the surface 3.

Accordingly, Applicants submits that the housing 11 in the system of MARTELLI et al. is not configured to support the getter material *such that an initial spreading direction of the getter material is away from a surface upon which it is to be deposited.* Applicant further submits that the deflector 15 in the system of MARTELLI et al. is not configured to control spreading of the getter material *in order to direct the getter material back toward a surface upon which it is to be deposited.*

Applicant also submits that dependent claims 2-8 and 10-21, which are at least patentable due to their respective dependencies from claims 1 and 9, for the reasons noted above, recite additional features of the invention and are also separately patentable over the prior art of record.

Applicant respectfully submits that the rejection of claims 1-3, 5-12 and 14-21 under 35 U.S.C. § 102(b) is improper at least for each and certainly for all of the above-noted reasons. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection, and an early indication of the allowance of these claims.

In regard to the Examiner's indication of allowable subject matter in claims 4 and 13 on pages 4 and 5 of the Official Action, Applicant does not disagree with the Examiner's indication that features of these claims are neither shown nor suggested by the prior art of record. However, Applicant wishes to make clear that the claims in the

P21288.A04

present application recite a combination of features, and that the patentability of these claims is also based on the totality of the features recited therein, which define over the prior art. Thus the reasons for allowance should not be limited to those mentioned by the Examiner.

SUMMARY AND CONCLUSION

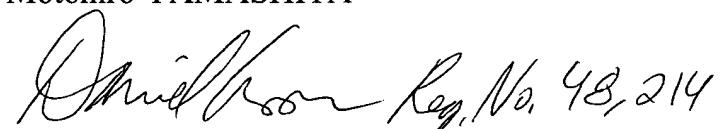
Entry and consideration of the present amendment, reconsideration of the outstanding Official Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate.

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so.

Any amendments to the claims that have been made in this amendment, which do not narrow the scope of the claims, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered cosmetic in nature, and to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Motohiro YAMASHITA

  
\_\_\_\_\_  
Bruce H. Bernstein  
Reg. No. 29,027

October 6, 2003  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191